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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/277,821

03/29/1999

KEIICHI SAKAI

862.2756

4114

5514

7590

03/31/2006

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

LUU, LE HIEN

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 03/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/277,821

Applicant(s)

SAKAI, KEIICHI

Examiner

Le H. Luu

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-2 and 4-13 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. Claims 1-2 and 4-13 are presented for examination.
2. Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 11/21/2005. The submission, however, is not fully responsive to the prior Office action because applicant claims different invention - Applicants cannot file an RCE to obtain continued examination on the basis of claims that are independent and distinct from the claims previously claimed and examined as a matter of right (i.e., applicant cannot switch inventions). Newly submitted claims 1-2 and 4-13 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Applicant claims sever includes a control device and a notification device. The control device selects at least one client which has a privilege for controlling an image sensing device remotely, prohibits unselected clients from controlling the image sensing device while the selected client is controlling the image sensing device, and allows the unselected clients to receive video information captured by the image sensing device.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Applicant can file a divisional application for further search and consideration of the newly amended claims invention that is independent and distinct from the invention originally claimed.

3. Examiner maintains the rejections of claims 1-2 and 4-13 which direct to the original invention elected by applicant on 03/31/2005.

4. Claims 1-2, and 4-13 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Chen et al. (Chen) patent no. 5,553,609, in view of Dean et al. (Dean) patent no. 5,943,478, and Hecht et al. (Hecht), patent no. 5,032,979, and Seeley et al. (Seeley), patent no. 6,097,429.

5. As to claim 1, Chen teaches the invention substantially as claimed, including a server (Master Monitoring Station (MMS) 24 figure 7; col. 6 lines 23-50) for making it possible for a remote client, the client being of a plurality of clients (health care professionals, col. 6 lines 23-50) to control an image sensing device via a communication medium and for controlling to transfer video information, which has been captured by the image sensing device, to the plurality of clients via the communication medium (col. 8 lines 15-40; col. 11 lines 38-52), said server comprising:

an input device, adapted to enter a request for transferring the video information captured by the image sensing device to the plurality of clients, and another request for control the image sensing device remotely (col. 8 lines 15-40; col. 11 lines 38-52; col.

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18 lines 20-24).

However, Chen does not explicitly teach the request entered by a user different from the client for reporting information identifying the plurality of clients that received the video information, nor information identifying the remote client to said server gives a control privilege to control the optical system and orientation of the image sensing device remotely and exclusively.

Dean teaches an administrator who is different than an user can obtain report information identifying users that receive selected media services from a media server using user access data and user information tracking (col. 1 line 66 - col. 2 line 37, col. 7 lines 28-67).

Hecht teaches using audit commands by superuser and generating an audit record for each recorded event which includes actions taken by computer operators and system administrators (col. 5 lines 35-68; col. 18 lines 15-40).

Seeley teaches giving an operator sole responsibility of controlling a video security system remotely (col. 7 line 63 – col. 9 line 40)

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Chen, Dean, Hecht, and Seeley to allow a user other than the client to enter a request to identify and report the clients that received the video information, and another request for identifying the remote client that has the control privilege to control the optical system and orientation of the image sensing device remotely and exclusively because it would allow the system to provide accurate accounting service and audit trail.

6. As to claims 2 and 4, Chen teaches said image sensing means is a camera and control of the image sensing means includes optical control and orientation control (col. 8 lines 15-40).

7. As to claims 5 and 7, Chen teaches input device includes: a voice input unit; and a recognition unit, adapted to recognize a voice input by said voice input unit; and notification device reports by voice (col. 4 lines 55-61; figures 3-4).

8. As to claim 6, Chen teaches information reported includes user names (col. 6 line 51 - col. 7 line 2).

9. Claims 8-13 have similar limitations as claims 1-2 and 4-7; therefore, they are rejected under the same rationale.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 7:00am - 4:30pm.

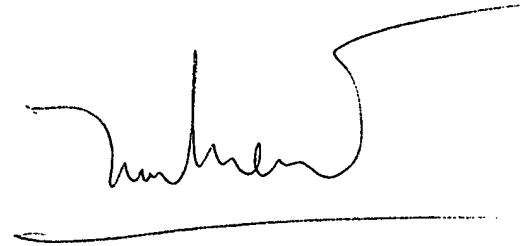
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharja can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be "L. J. ...", written over a horizontal line.

LEWIS  
PATENT EXAMINER